

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
SUSAN K. GAUVEY
U.S. MAGISTRATE JUDGE

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MEMORANDUM TO COUNSEL RE LEVITON MANUFACTURING CO., INC. V.
UNIVERSAL SECURITY INSTRUMENTS, INC., ET AL., CIVIL NO. AMD-05-
889

Dear Counsel:

Thank you for your arguments yesterday in the above captioned case. Since I have not finalized my decision on fees under Section 285 due to inequitable conduct, I would suggest that Meihao not do the additional work on attorneys' fees that I indicated was necessary until you hear from me further. Regrettably, Leviton did not bring to my attention until yesterday the fact that the reexamination proceeding had been wholly favorable to Leviton and that the patent re-examiner had been given the Germain application as well as all related litigation. Accordingly, as I indicated in the hearing, I am reviewing the inequitable conduct issue weighing, as the case law indicates, the level of materiality and the level of intent in making my decision.

Thank you and I look forward to the material on the substantive issues. Please efile your submissions with the Court and also email them to me at judge_susan_gauvey@mdd.uscourts.gov

Sincerely yours,

/s/

Susan K. Gauvey
United States Magistrate Judge